

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

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Earl Gavin  
Plaintiff

Case No.

-v-

Paramount Recovery Systems;  
Defendant

**VERIFIED COMPLAINT**

Plaintiff, Earl Gavin, hereby sues Defendant, Paramount Recovery Systems; and alleges:

**PRELIMINARY STATEMENT**

1. This is an action for damages brought for damages for violations of the Fair Credit Reporting Act (FCRA) 15 U.S.C. §1681 *et seq.* for violations of the Fair Debt Collection Practices Act (FDCPA) 15 U.S.C. § 1692,

**JURISDICTION AND VENUE**

2. The jurisdiction of this Court is conferred by 15 U.S.C. §1681p, 15 U.S.C. §1692k (d)
3. Venue is proper in this Circuit pursuant to 28 U.S.C. §1391b.
4. This is an action for damages which do not exceed \$5,000.00.
5. Plaintiff, Earl Gavin is a natural person and is a resident of the State of South Carolina.
6. Defendant, Paramount Recovery Systems, is a Chicago Corporation, doing business in South Carolina.
7. All conditions precedent to the bringing of this action have been performed, waived or excused.

**FACTUAL ALLEGATIONS**

8. In January 2015 Paramount Recovery Systems initiated a Hard pull of Plaintiff's credit report from Experian without permissible purpose. Exhibit A
9. On June 16, 2015, Plaintiff mailed a certified letter to Defendant, disputing the pulling of plaintiff credit and requested validation. Exhibit B

10. On or about August 3, 2015, Plaintiff received letter from Defendant, stating they failed to uncover sufficient evidence to validate the alleged debt that Plaintiff disputed. And that Defendant was deleting all files from all three (3) credit bureau. Exhibit C

**COUNT I**  
**VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA), 15 U.S.C. §1681**  
**WILLFUL NON-COMPLIANCE BY DEFENDANT PARAMOUNT RECOVERY**  
**SYSTEM**

11. Paragraphs 1 through 10 are re alleged as though fully set forth herein.

12. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. §1681a(c).

13. Paramount Recovery Systems; is a furnisher of information within the meaning of the FCRA, 15 U.S.C. §1681s-2.

14. Paramount Recovery Systems; willfully violated the FCRA. Defendant's violations include, but are not limited to, the following:

(a) Paramount Recovery Systems; willfully violated 15 U.S.C. §1681b(f) by obtaining Plaintiff's consumer report without a permissible purpose as defined by 15 U.S.C. §1681b.

WHEREFORE, Plaintiff demands judgment for damages against Paramount Recovery Systems; for actual or statutory damages, and punitive damages, attorney's fees and costs, pursuant to 15 U.S.C. §1681n.

**COUNT II**  
**VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA), 15 U.S.C. §1681**  
**NEGLIGENT NON-COMPLIANCE BY DEFENDANT PARAMOUNT**  
**RECOVERY SYSTEM**

15. Paragraphs 1 through 10 are re alleged as though fully set forth herein.

16. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. §1681a(c).

17. Paramount Recovery Systems; is a furnisher of information within the meaning of the FCRA, 15 U.S.C. §1681s-2.

18. Paramount Recovery Systems; negligently violated the FCRA. Defendant's violations include, but are not limited to, the following:

(a) Paramount Recovery Systems; negligently violated 15 U.S.C. §1681b(f) by obtaining Plaintiff's consumer report without a permissible purpose as defined by 15 U.S.C.

§1681b.

WHEREFORE, Plaintiff demands judgment for damages against Paramount Recovery Systems; for actual damages, and attorney's fees and costs, pursuant to 15 U.S.C. §1681o.

**COUNT III**  
**VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT (FDCPA), 15**  
**U.S.C. §1692 BY DEFENDANTS PARAMOUNT RECOVERY SYSTEMS**

19. Paragraphs 1 through 19 are re alleged as though fully set forth herein.

20. Plaintiff is a consumer within the meaning of the FDCPA, 15 U.S.C. §1692a(3).

21. Defendants Paramount Recovery Systems; are debt collectors within the meaning of the FDCPA, 15 U.S.C. §1692a(6).

22. Defendants Paramount Recovery Systems; violated the FDCPA.

Defendants' violations include, but are not limited to, the following:

(a) Defendant Paramount Recovery Systems, violated 15 U.S.C. §1692d by engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person.

(b) Defendant Paramount Recovery Systems, violated 15 U.S.C. §1692e(2) by falsely representing the character, amount, or legal status of any debt.

(c) Defendant Paramount Recovery Systems, violated 15 U.S.C. §1692e(10) by the use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.

WHEREFORE, Plaintiff demands judgment for damages against Paramount Recovery Systems, for actual or statutory damages, and punitive damages, attorney's fees and costs, pursuant to 15 U.S.C. §1692k.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury of all issues so triable as a matter of law.

Dated: October 2, 2015

Respectfully submitted,



Earl Gavin  
300 Marion Ave  
Gaffney Sc 29341